

9

RECEIVED
CENTRAL FILE CENTER

APR 02 2007

REMARKS

Claims 1-21 are pending in the application. Claims 1-6, 8-14 and 17-20 were rejected under 35 U.S.C. § 102 (e). Claims 7 and 15-16 were rejected under 35 U.S.C. § 103 (a).

Rejection Under 35 U.S.C. § 102 (e)

Claims 1-6, 8-14 and 17-20 were rejected under 35 U.S.C. § 102 (e) as being anticipated by U. S. Patent Application Number 2001/0009014 issued to Savage et al. dated July 19, 2001.

Applicant has avoided this ground of rejection for the following reasons.

Applicant's claim 1, as amended, recites,

"wherein the one or more application server components establish the one or more data streams via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with the one or more application server components."

Savage does not teach this limitation. Instead, Savage discloses a technique for facilitating a first conference between a plurality of clients on a network. If the first conference is currently being facilitated on a first one of the plurality of media servers, the first client is dispatched to the first conference on the first media server. Where the first conference is not currently being facilitated on any of the plurality of media servers, creation of the first conference on a second one of the plurality of media servers is triggered, and the first client is dispatched to the first conference on the second media server. However, contrary to applicant's claim 1, Savage does not teach "wherein the one or more application server components establish the one or more data streams via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with the one or more application server components". Thus, Savage is missing the "one or more data stream request messages" element and the "one or more identifiers" element.

Thus, the clear teaching of Savage is that the one or more application server components do not establish the one or more data streams via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with the one or more application server components.

In view of the foregoing, applicant submits that Savage does not describe each and every element of claim 1, and therefore claim 1 is not anticipated by Savage. Since claims 2-6 and 8-14 depend from allowable claim 1, these claims are also allowable over Savage.

Independent claims 17 and 20 each have a limitation similar to that of independent claim 1, which was shown is not taught by Savage. For example, claims 17 and 20 recite, "wherein the one or more data streams are established via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with one or more application server components". Savage does not teach this limitation for the above-mentioned reasons. Therefore, claims 17 and 20 are likewise allowable over Savage. Since claims 18-19 depend from claim 17, these dependent claims are also allowable over Savage.

Rejection Under 35 U.S.C. § 103 (a)

Claims 7 and 15-16 were rejected under 35 U.S.C. § 103 (a) as being unpatentable over U. S. Patent Application Number 2002/0009014 issued to Savage et al. dated July 19, 2001 in view of U. S. Patent Application Number 2004/0015405 issued to Cloutier et al. dated January 22, 2004.

Applicant respectfully traverses this ground of rejection.

Claims 7 and 15-16 depend from independent claim 1. As noted hereinabove, Savage does not teach or suggest "wherein the one or more application server components establish the one or more data streams via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with the one or more application server components", as recited in applicant's independent claim 1 or "wherein the one or more data streams are established via employment of a) one or more data stream request messages and b) one or more identifiers which distinguish calls associated with one or more application

11

LUC-434/Clark 11

server components" as recited in applicant's independent claims 17 and 20. Cloutier does not teach or suggest the elements either. Thus, claims 7 and 15-16 are allowable over the proposed combination of Savage and Cloutier under 35 U.S.C. § 103(a).

New Claim

New claim 21 has been added. Claim 21 provides an additional limitation for the one or more identifiers. No new matter was added.

Claim Amendments

Claims 7, 9-16 and 19 were amended to add the term "and". Claim 8 was amended to add an end period. No new matter was added.

RECEIVED
CENTRAL FAX CENTER

12

LUC-434/Clark 11

APR 02 2007

Conclusion

It is respectfully submitted that the Office Action's rejections have been overcome and that this application is now in condition for allowance. Reconsideration and allowance are, therefore, respectfully solicited.

In view of the above amendments and remarks, allowance of all claims pending is respectfully requested. If a telephone conference would be of assistance in advancing the prosecution of this application, the Examiner is invited to call applicant's attorney.

Respectfully submitted,



Carmen B. Patti
Attorney for Applicant
Reg. No. 26,784

Dated: April 2, 2007

CARMEN B. PATTI & ASSOCIATES, LLC
Customer Number 47382